

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

**FILED**  
IN CLERK'S OFFICE  
U.S. DISTRICT COURT E.D.N.Y.  
★ NOV 04 2011 ★  
BROOKLYN OFFICE

D/f

BARBARA COX

Plaintiff,

-against-

**ORDER**

**04-CV-208 (NGG)**

MICHAEL J. ASTRUE,  
*Commissioner of Social Security*

Defendant.

-----X  
NICHOLAS G. GARAUFIS, United States District Judge.

Charles E. Binder, counsel to Plaintiff Barbara Cox in the above-titled case, moves the court for an award of attorney fees in the amount of \$ 11,653.12 in accordance with 42 U.S.C. § 406(b). (Am. Mot. for Att'y Fees (Docket Entry # 11).) Defendant does not oppose this request. (Resp. to Mot. (Docket Entry # 13) at 2.) The court referred this request to Magistrate Judge Cheryl L. Pollak for report and recommendation. (Order Referring Mot. (Docket Entry # 12).) Judge Pollak has since issued her Report and Recommendation ("R&R"), in which she recommended granting the requested award. (Docket Entry #14.)

No party has objected to Judge Pollak's R&R, and the time to do so has passed. See Fed. R. Civ. P. 72(b)(2). Accordingly, the court reviews Judge Pollak's R&R for clear error. See 28 U.S.C. § 636(b)(1). Having reviewed Judge Pollak's R&R, the court adopts it in its entirety. Accordingly, the court GRANTS Mr. Binder's request for an award of a fee of \$11,653.12.  
SO ORDERED.

Dated: Brooklyn, New York  
November 3, 2011

s/Nicholas G. Garaufis  
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NICHOLAS G. GARAUFIS  
United States District Judge